IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 18836 of 2004

Between:

Addala Venkata Narasimha Raju S/o.Suryanarayana Raju
R/o.Vivaka Village Mudinepalli Mandal, Krishna District.

..... PETITIONER

AND

1 Mandal Revenue Officer, Mudinipalli, Krishna District.
2 Revenue Divisional Officer, Gudivada, Krishna District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue an appropriate writ, order or direction, particulalry one in the nature of Mandamus, declaring the action of the respondents 1 and 2 herein, in trying to interfere with petitioner's possession and enjoyment of the land admeasuring Ac.1.54 cts. situate in S.Nos.790.6, 790.7 and 790.8 of Vivaka Village, Mudinepalli Mandal, Krishna District, as illegal, without authority of law, violative of Principles of natural justice, arbitrary, unreasonable, and also violative of Articles 14, 19 (1) (g), 21 and 300-A of the Constitution of India and issue a consequential direction to the respondents herein not to interfere with petitioner's possession and enjoyment of the above said land.

Counsel for the Petitioner: MR.M.RAJAMALLA REDDY

Counsel for the Respondents: Govt. Pleader FOR REVENUE

The Court made the following:

Oral Order:

Heard the learned counsel for the petitioner and learned Government Pleader for Revenue, and at their request the writ petition itself is disposed of at the admission stage.

No cause of action to entertain the writ petition on the alleged apprehension that the respondents are trying to interfere with the petitioner's possession. It cannot be presumed that the respondents will not follow due procedure before eviction of the petitioner, particularly when pattadar passbook was granted basing on D-form patta. It is needless to observe that the respondents have to follow due procedure in the event if the petitioner has to be evicted from the suit schedule property.

The writ petition is accordingly disposed of. No costs.

_____ A.GOPAL REDDY, J.

13-10-2004

Murthy

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 Mandal Revenue Officer, Mudinipalli, Krishna District.

2 Revenue Divisional Officer, Gudivada, Krishna District.

3.Two CCs to the Govt. Pleader for Revenue, High Court buildings,

Hyderabad (OUT)

4.Two CD copies